



TOWN OF WEARE
PLANNING BOARD
ZONING BOARD OF ADJUSTMENT
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Naomi L. Bolton
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Office Hours:
Monday
thru
Friday
8 AM – 4:30 PM

**ZONING BOARD OF ADJUSTMENT
MINUTES
APRIL 1, 2008
(Approved as amended 8/5/08)**

PRESENT: David Ruoff, Chairman; Ian McSweeney, Vice Chairman; Forrest Esenwine; June Purington; Elwood Stagakis, Alternate; Malcolm Wright, Alternate; Neal Kurk, Alternate; Naomi L. Bolton, Land Use Coordinator.

GUESTS: Angela Quinn; Ginger Esenwine; Carmella Stagakis

I. INTRODUCTION:

Chairman David Ruoff called this meeting to order at 7:30 PM and asked the board members present to introduce themselves. Chairman Ruoff explained to those present the way by which the board conducts business. Chairman Ruoff appointed Neal Kurk as a voting member for tonight.

II. ADMINISTRATIVE ITEMS:

There were no administrative items for this evening and the board went right to the hearings.

III. PUBLIC HEARINGS:

Case #0308 Thomas & Angela Quinn
(*Application received 3/13/08*)
Special Exception, Article 19, Section 19.1.10
Applicant is requesting permission to build an in-law apartment.
Tax Map 405-044 60 Peaslee Hill Road

Angela Quinn was present. Mrs. Quinn explained that they would like to put on an addition for her husband's parents. The plans for the addition were designed according to the zoning article. The addition was going to be very close to the property line so they had Mike Dahlberg out to survey the property to make sure it was going to fit. The addition will not be encroaching on the side or front setbacks. Forrest Esenwine wanted to clarify for the record that the plot plan provided shows Breed Hill Road which is now known as Peaslee Hill Road.

Mrs. Quinn went through the seven conditions that are required for a special exception as follows:

1. The specific site is an appropriate location for such a use or uses in terms of overall community development: We want to build an in-law

- apartment for my husband's retired parents. As a family we will be better situated to support each other in the short and long term future.
2. The proposed use will not adversely affect the neighborhood and shall produce no significant reduction of real estate values in the neighboring area: I do not see any way that this in-law apartment will adversely affect the neighborhood or the real estate values.
 3. The proposed use will not be a nuisance or serious hazard to vehicular traffic or pedestrians: Both parents are retired and currently operate one vehicle. They will park on the current resident driveway with no changes to the entrance to the street. Their driving is limited. Most travel will be locally.
 4. The proposed use will not cause an undue burden on the Town through the provision of basic Town services: I don't see how the proposal will cause any undue burden on the Town through basic Town services. They don't have any dependants that will be living with them or entering the school system.
 5. Adequate off-street parking be provided if determined necessary by the Zoning Board of Adjustment: For this purpose there should not need any reasons for on-street parking. I do believe there is adequate off-street parking in the driveway.
 6. A buffer may be required to screen neighboring uses from the proposed use. Buffers may be fence screens, dense planting of suitable trees and shrubbery, or naturally occurring shrubs and trees: I believe the existing trees and woods will be a sufficient buffer and the design of the in-law apartment will blend perfectly with the current structure.
 7. The Zoning Board of Adjustment, in granting any special exception, may include such restrictions to insure compliance with this section: This is a long term plan for which my family to live in. The purpose of this proposal is not for us to rent this space to non-family members.

Approving Abutters: None

Disapproving Abutters: None

Public At Large: None

Other Boards: None

Rebuttal of Applicant: None

Chairman Ruoff closed this hearing at 7:52 PM.

DISCUSSION: There was no need for further discussion on this application. Forrest Esenwine wanted to compliment the applicant on how the application was put together, nice neat and having all the information required.

CASE DECISION:

Neal Kurk moved to grant the special exception for Case #0308 as requested based on all the information, forms and plans that were submitted, with the condition that the Assessing office put the following note on the property card

“in-law apartment may only be used by a relative of the homeowner and no rent will be charged”; June Purington seconded the motion, all in favor.

IV: OTHER BUSINESS:

MARCH 4, 2008 MINUTES: Forrest Esenwine moved to accept the March 4, 2008 minutes as amended; Ian McSweeney seconded the motion, all in favor.

ELECTION OF OFFICERS: Forrest Esenwine made a motion to appoint David Ruoff as Chairman for the upcoming year; Neal Kurk seconded the motion. Chairman Ruoff stated that he would accept the nomination. Chairman Ruoff asked if there were any more nominations. There was no response. Therefore, Neal Kurk moved that the nominations be closed and that the board appoint David Ruoff as Chairman; Forrest Esenwine seconded the motion, all in favor. Chairman Ruoff made a motion to appoint Ian McSweeney as Vice Chairman; Neal Kurk seconded the motion. Chairman Ruoff asked Mr. McSweeney if he would accept the nomination. Mr. McSweeney responded, yes. Chairman Ruoff asked if there were any more nominations. There was no response. Therefore, Neal Kurk moved that the nominations be closed and the board appoint Ian McSweeney as Vice Chairman; Forrest Esenwine seconded the motion, all in favor.

REQUEST FOR EXTENSION OF PREVIOUSLY GRANTED VARIANCE: Naomi informed the board that she had received a request for an extension of a previously granted variance. The request was received after this hearing was posted. Naomi’s concern was that the Zoning Ordinance states that the applicant needs to apply for the extension before it expires, which is June 4, 2008, what if the board does not receive any applications and won’t have another meeting until after that date. The board felt that the request has been filed and will address it at the next meeting and there will be no penalty.

V. ADJOURNMENT:

As there was no further business to come before the board, Forrest Esenwine moved to adjourn the meeting at 8:00 PM; June Purington seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton
Land Use Coordinator